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Patent
Attorney Docket: 816020-100067US
Express Mail No. EV 283744340 US

PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	
	First Named Inventor	Hosheng Tu
	COMPLETE IF KNOWN	
	Application Number	/
	Filing Date	
	Group Art Unit	
	Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Delivery System for a Stentless Valve Bioprosthesis

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

(if applicable).

Application Number

and was amended on (MM/DD/YYYY)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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Patent
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DECLARATION — Utility or Design Patent Application

Direct all correspondence to:

☐ Customer Number
or Bar Code Label

OR ☒ Correspondence address below

Name Hosheng Tu

Address 2151 Palermo

Address

City Tustin

State CA

ZIP 92782

Country USA

Telephone 714-730-5944

Fax 714-730-5254

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF ~~SOLE~~ OR FIRST INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any])

Hosheng

Family Name
or Surname

Tu

Inventor's
Signature

Hosheng Tu

Date 5/10/2001

Residence: City

Tustin

State CA

Country USA

Citizenship USA

Mailing Address

2151 Palermo

Mailing Address

City Tustin

State CA

ZIP 92782

Country USA

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name

(first and middle [if any])

Rodolfo C.

Family Name
or Surname

Quijano

Inventor's
Signature

R Quijano

Date 5/10/2001

Residence: City

Laguna Hills

State CA

Country USA

Citizenship USA

Mailing Address

27451 Lost Trail Lane

Mailing Address

City Laguna Hills

State CA

ZIP 92653

Country USA

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Inventor(s): Hosheng Tu and Rodolfo C. Quijano

Serial No.: 09/853,463

Filed: May 10, 2001

**For: Delivery System for Stentless Valve
Bioprosthesis**

)
) **Group Art Unit: 3738**

) **Examiner: Matthews, William H.**
)
)
)
)
)
)

TRANSMITTAL OF POWER OF ATTORNEY BY ASSIGNEE

AND ASSIGNMENT

Mail Stop Patent Application (Assignments)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

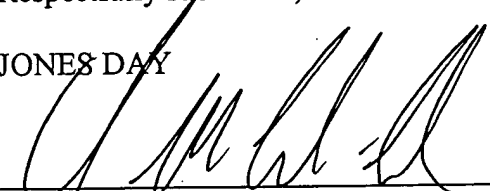
Attached for recordation is the executed Power of Attorney By Assignee and Assignment of Patent Application (with Recordation Cover Sheet) for the above-referenced patent application.

Respectfully submitted,

JONES DAY

Dated: May 22, 2003

By:


Yasser M. El-Gamal
Reg. No. 45,339

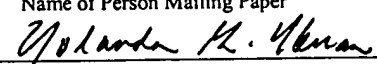
CERTIFICATE OF MAILING
(37 C.F.R. § 10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below in envelope as "First Class Mail" addressed to Mail Stop Patent Application (Assignments), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 22, 2003
Date of Deposit

LAI-2046974v1

Yolanda G. Ybuan
Name of Person Mailing Paper


Signature of Person Mailing Paper

Patent
Attorney Docket: 816020-100067US
Express Mail No. EV 283744340 US

Patent
816020-100033

**POWER OF ATTORNEY
BY ASSIGNEE**

3f Therapeutics, Inc., assignee of the application for United States Letters Patent for an improvement in

Delivery System for Stentless Valve Bioprosthesis
by Hosheng Tu and Rodolfo C. Quijano

the specification of which:

- ☐ is filed herewith, OR
☒ was filed on May 10, 2001 and assigned U.S. Patent Application Serial No. 09/853,463,

does hereby appoint as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, all of the registered practitioners identified by Customer Number 34026:



34026

PATENT TRADEMARK OFFICE

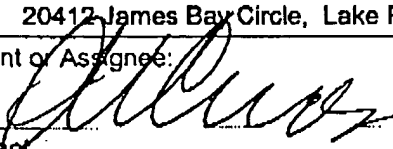
JONES DAY
555 W. Fifth Street, Suite 4600
Los Angeles, CA 90071
(213) 489-3939

Please send all correspondence to the attention of **Jones Day, Prosecution Department**, at the above Customer Number, and direct all telephone calls to (213) 489-3939.

I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chain of title to the patent application identified above from the inventor(s) to the assignee(s), which:

- ☒ is filed for recordation herewith; or
☐ was recorded at Reel _____, Frame _____; or
☐ has been sent for recordation under separate cover, copy attached herewith.

To the best of the undersigned's knowledge and belief, title is in the assignee(s) identified above. Furthermore, the undersigned is empowered to sign this document on behalf of the assignee(s).

Full Name of Assignee: 3f Therapeutics, Inc.	
Post Office Address: 20412 James Bay Circle, Lake Forest, CA 92630	
Signature of Declarant or Assignee: 	Date: <u>May 22, 2003</u>
Full Name of Declarant: If Other Than Assignee: Walter A. Cuevas	
Title of Declarant: President & Chief Executive Officer of 3f Therapeutics, Inc.	
Address of Declarant: 20412 James Bay Circle, Lake Forest, CA 92630	

FORM PTO-1595
1-31-92

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Docket No. 816020-100033 US

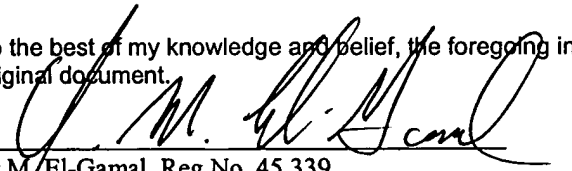
To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): Hosheng Tu Rodolfo C. Quijano Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		2. Name and address of receiving party: Name: <u>3F Therapeutics, Inc.</u> Internal Address: _____ City: _____ State: _____ Zip: _____ Street Address: <u>20412 James Bay Circle</u> City: <u>Lake Forest</u> State: <u>CA</u> Zip: <u>92630</u> Additional name(s) & address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: <u>April 26, 2003; April 29, 2003</u>			
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is: A. Patent Application No(s): <u>09/853,463</u> B. Patent No(s): _____ Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
5. Name and address of party to whom correspondence concerning document should be mailed: Name: <u>Jones Day Prosecution Department</u> Jones Day 555 West Fifth Street, Suite 4600 Los Angeles, CA 90013-1025		6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41): \$ <u>40.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Charge this Deposit Account if any additional fee is required 8. Deposit Account Number: <u>502-468</u>	

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9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.


Yasser M. El-Gamal, Reg No. 45,339
Date: May 22, 2003

Total number of pages including cover sheet: 5

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ASSIGNMENT OF PATENT APPLICATION

WHEREAS, WE, HOSHENG TU, a citizen of UNITED STATES OF AMERICA, currently residing at 15 Riez, Newport Beach, California 92657, and RODOLFO C. QUIJANO, a citizen of UNITED STATES OF AMERICA, currently residing at 27451 Lost Trail Lane, Laguna Hills, California 92653 , (hereinafter referred to as "ASSIGNORS"), have invented a certain invention entitled "DELIVERY SYSTEM FOR STENTLESS VALVE BIOPROSTHESIS" for which an application for Letters Patent of the United States of America has been filed on May 10, 2001 and was assigned U.S. Serial No. 09/853,463;

WHEREAS, 3f THERAPEUTICS, INC., a corporation organized and existing under and by virtue of the laws of the State of Delaware and having its place of business at 20412 James Bay Circle, Lake Forest, CA 92630 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the exclusive right, title and interest in, to and under said invention and in, to and under any Patent or similar legal protection to be obtained therefor in the United States of America, its territorial possessions and in any and all countries foreign thereto.

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign, transfer and set over unto the said ASSIGNEE, its successors and assigns, the full and exclusive right, title and interest to said invention and to all Letters Patent or application or similar legal protection, not only in the United States and its territorial possessions, but in all countries foreign thereto to be obtained for said invention by said application, and to any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in the United States or a foreign country for the full term or terms for which the same may be granted, including all priority rights under the International Convention; and

ASSIGNORS hereby authorize and request the United States Commissioner of Patents and Trademarks and any officials of foreign countries whose duty it is to issue patents or any legal equivalent thereof to said ASSIGNEE, its successors and assigns, in accordance with this Assignment.

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Agreement;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said application, said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents in the United States or in any foreign country, which may be necessary or desirable to carry out the purposes thereof.

WITNESS my hand at Irvine

California, this 26th day of April, 2003.

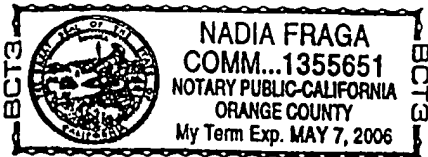
Hosheng Tu
Hosheng Tu

STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

On APRIL 26th 2003 before me, NADIA FRAGA, NOTARY PUBLIC, personally appeared
HOSHENG TU

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

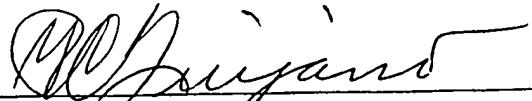
WITNESS my hand and official seal.



Nadia Fraga
Notary Public in and for said County and State

WITNESS my hand at LAKE FOREST

California, this 29 day of April, 2003.


Rodolfo C. Quijano

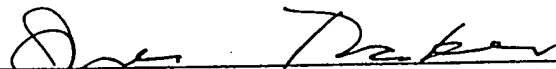
STATE OF CALIFORNIA)
) ss
COUNTY OF ORANGE)

On April 29, 2003 before me, JENICE THAKUR, personally appeared

RODOLFO C. QUIJANO

☐ personally known to me - ~~OR~~ ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


Notary Public in and for said County and State

